

## **MINUTES OF THE CITY COUNCIL**

**SAN JOSÉ, CALIFORNIA**

**TUESDAY, OCTOBER 24, 2006**

The Council of the City of San José convened in regular session at 9:30 a.m. in the Mayor's Conference Room T1841, at City Hall.

Present: Council Members - Campos, Chavez, Cortese, LeZotte, Nguyen, Pyle, Reed, Williams; Gonzales.

Absent: Council Members - Chirco, Yeager. (Excused)

Upon motion unanimously adopted, Council recessed at 9:32 a.m. to a Closed Session in Room T1841, (A) to confer with Legal Counsel pursuant to Government Code Section 54956.9 subsection (a) with respect to existing litigation to consider the case of: (1) In re Johnston; (2) Moreno, et al. v. City of San José, et al.; (3) South Almaden Valley Rural Alliance, et al. v. City of San José. (B) to confer with Legal Counsel pursuant to Government Code Section 54956.9, Subsection (c) with respect to anticipated litigation in one (1) matter. (C) to confer with Labor Negotiator pursuant to Government Code Section 54957.6, City Negotiator: City Manager designee Alex Gurza, and the following Employee Organizations: (1) Operating Engineers, Local 3; (2) International Association of Firefighters (IAFF).

By unanimous consent, Council reconvened from the Closed Session and recessed at 10:17 a.m. and reconvened at 1:34 p.m. in the Council Chambers.

Present: Council Members - Campos, Chavez, Chirco, Cortese, LeZotte, Nguyen, Pyle, Reed, Williams, Yeager; Gonzales.

Absent: Council Members - None.

## **INVOCATION**

Shahrzad Moghadam and Arton Falahati, Nejad World Music Center. (District 9)

## **PLEDGE OF ALLEGIANCE**

Mayor Gonzales led the Pledge of Allegiance.

Access the video, the agenda and related reports for this meeting by visiting the City's website at <http://www.sanjoseca.gov/clerk/agenda.asp> or <http://www.sanjoseca.gov/clerk/MeetingArchive.asp>

## **ORDERS OF THE DAY**

Upon motion by Vice Mayor Chavez, seconded by Council Member Williams and carried unanimously, the Orders of the Day and the Amended Agenda were approved, with Item 11.1(h) dropped and 11.1(a) continued to the November 14, 2006 evening session. (11-0.)

## **CEREMONIAL ITEMS**

- 1.1 Presentation of a commendation to the Downtown Parks Staff from Parks, Recreation & Neighborhood Services Department in recognition of its collective efforts in supporting and facilitating the Summer 2006 special event season. (Parks, Recreation and Neighborhood Services)**

Action: Mayor Gonzales and Acting Director of Parks, Recreation and Neighborhood Services Albert Balagso recognized and commended the Downtown Parks Staff from Parks for its support in facilitating the Summer 2006 special event season.

- 1.2 Presentation of a commendation to Police Reserve Sergeant David D. Aguilar for his exemplary dedication and commitment to the City of San José. (Police)**

Action: Mayor Gonzales and Police Chief Robert Davis recognized and commended Police Reserve Sergeant David D. Aguilar for his invaluable dedication and commitment to the City of San José.

- 1.3 Presentation of commendations to Adobe Systems Incorporated, Taylor Automotive, Forest City Commercial Management, Advanced Career Development, Money Mailer of South San José, San José City Hall and the San José Conservation Corps for achieving Green Business Certification in the community of San José and for their continuing commitment to protect the environment and enhance the quality for the residents of San José. (LeZotte)  
(Rules Committee referral 10/11/06)**

Action: Mayor Gonzales and Council Member LeZotte recognized and commended Adobe Systems Incorporated, Taylor Automotive, Forest City Commercial Management, Advanced Career Development, Money Mailer of South San José, San José City Hall and the San José Conservation Corps for achieving Green Business Certification in the City of San José.

- 1.8 **Presentation of a commendation to the Italian American Heritage Foundation on the occasion of the 26<sup>th</sup> Annual Italian Family *Festa* for its dedication to honoring Italian history and culture and its outstanding contributions to the San José community. (Chavez/ Cortese/LeZotte)  
(Deferred from 10/17/06 – Item 1.2)**

Action: Dropped.

## **CONSENT CALENDAR**

Upon motion by Council Member Williams, seconded by Council Member Chirco, and carried unanimously, the Consent Calendar was approved and the below listed actions were taken as indicated. (11-0.)

- 2.2 (a) **ORD. NO. 27885 – Rezoning certain real property situated on the southwesterly corner of Eberly Drive and Neilson Court to A(PD) Planned Development Zoning District. PDC04-091  
[Deferred from 10/17/06- Item 2.2(d)]**

Action: Deferred to October 31, 2006.

- (b) **ORD. NO. 27889 – Repealing Part 22 of Chapter 2.08 of Title 2 of the San José Municipal Code and amending in its entirety Part 28 of Chapter 2.08 of Title 2 to consolidate the Community Development Block Grant Steering Committee and the Housing Advisory Commission into the new commission named the Housing and Community Development Advisory Commission.**

Documents Filed: Proof of Publication of Notice of Public Hearing, executed on October 20, 2006, submitted by the City Clerk.

Action: Upon motion by Council Member Cortese, seconded by Council Member Council Member Williams and carried unanimously, [Ordinance No. 27889](#) was adopted. (11-0.)

- 2.3 **Adoption of a resolution authorizing the City Attorney to negotiate and execute a first amendment to the agreement with Hanson, Bridgett, Marcus, Vlahos, Rudy LLP to provide legal and investigative services as the Evaluator to the San José Elections Commission, increasing compensation by \$100,000, to a total amount not to exceed \$200,000. CEQA: Not a Project. (City Attorney's Office/City Clerk)**

Documents Filed: Memorandum from City Attorney Richard Doyle, dated October 12, 2006, recommending adoption of a resolution.

## 2.3 (Cont'd.)

Action: [Resolution No. 73468](#), entitled: "A Resolution of the Council of the City of San José Authorizing the City Attorney to Negotiate and Execute a First Amendment to the Agreement for Evaluator Services for the Elections Commission, Increasing Compensation by \$100,000 to a Total Amount Not To Exceed \$200,000", was adopted. (11-0.)

## 2.4 **Approval of use of the HP Pavilion at San José for one Community Event date for the San José Sports Hall of Fame induction ceremony on November 14, 2006. CEQA: Not a Project. (City Manager's Office)**

Documents Filed: Memorandum from Deputy City Manager Dan McFadden, dated October 4, 2006, recommending approval of the use.

Action: The use of the HP Pavilion was approved. (11-0.)

## 2.5 (a) **Adoption of the following Appropriation Ordinance and Funding Sources Resolution amendments in the Services for Redevelopment Capital Projects Fund (City-side Redevelopment Fund):**

- (1) **Increase the estimate for Earned Revenue by \$547,000.**
- (2) **Increase the appropriation to the Department of Public Works for the Greater Gardner Street Reconstruction Project (PSM #346, Amendment 6) in the amount of \$105,000.**
- (3) **Establish an appropriation to the Department of Public Works for the Zanker Road Median Island Landscape Improvement Project (PSM #468) in the amount of \$442,000.**

(b) **Adoption of a resolution making certain determinations regarding the related expenditure of Redevelopment Agency funds on certain public improvements in connection with the Zanker Road Median Island Landscape Improvement Project as more specifically described in the memorandum from the Redevelopment Agency, dated October 2, 2006.**

**CEQA: Exempt, File Nos. PP04-07-215 and PP06-167. Council Districts 3, 4 and 6. SNI: Greater Gardner. (City Manager's Office)**

Documents Filed: Memorandum from Budget Director Larry Lisenbee, dated October 4, 2006, recommending adoption of ordinance and funding sources resolution amendments and a resolution.

## 2.5 (Cont'd.)

Action: [Ordinance No. 27892](#), entitled: “An Ordinance of the City of San José Amending Ordinance No. 27801 to Appropriate Monies in the Services for Redevelopment Capital Projects Fund for the Greater Gardner Street Reconstruction Project and the Zanker Road Median Island Landscape Improvement Project; and Providing that This Ordinance Shall Become Effective Immediately Upon Adoption”; [Resolution No. 73469](#), entitled: “A Resolution of the Council of the City of San José Amending Resolution No. 73265 Setting Forth the Estimated Sources of Funds for the Fiscal Year 2006-2007 to Adjust Revenues in the Services for Redevelopment Capital Fund” and [Resolution No. 73470](#), entitled: “A Resolution of the Council of the City of San José Making Certain Determinations Regarding the Expenditure of Redevelopment Agency Funds for Certain Public Improvements in the Rincon de los Esteros Redevelopment Project Area”, were adopted

## 2.6 **Adoption of the following amendments to the annual appropriation ordinance and funding sources resolution in the Workforce Investment Act Fund:**

(a) **Increase earned revenue estimate by \$170,000.**

(b) **Establish an appropriation for Career Pathways in the amount of \$170,000.**

**CEQA: Not a Project. (Economic Development/City Manager’s Office)**

Documents Filed: Memorandum from Budget Director Larry Lisenbee and Director of Economic Development Paul Krutko, dated September 27, 2006, recommending adoption of the annual appropriation ordinance and funding sources resolution amendments

Action: [Ordinance No. 27893](#), entitled: “An Ordinance of the City of San José Amending Ordinance No. 27801 to Appropriate Monies in the Workforce Investment Act Fund for the Career Pathways Project; and Providing that This Ordinance Shall Become Effective Immediately Upon Adoption” and [Resolution No. 73471](#), entitled: “A Resolution of the Council of the City of San José Amending Resolution No. 73265 Setting Forth the Estimated Sources of Funds for the Fiscal Year 2006-2007 to Adjust Revenues in the Workforce Investment Act Fund”, were adopted. (11-0.)

## 2.7 **Adoption of a resolution to create the job classification of Principal Permit Specialist (3901) with a pay range of \$28.03-\$34.07 per hour (\$58,302.40-\$70,865.60 annually). CEQA: Not a Project. (Human Resources)**

Documents Filed: Memorandum from Director Human Resources Mark Danaj, dated October 4, 2006, recommending adoption of a resolution.

Action: Dropped.

**END OF CONSENT CALENDAR**

## **STRATEGIC SUPPORT SERVICES**

### **3.2 Report of the Rules Committee – October 11, 2006**

#### **Vice Mayor Chavez, Chair**

- (a) Redevelopment Agency items reported out at Redevelopment Agency meeting
- (b) City Council
  - (1) Review October 24, 2006 Draft City Council Agenda
    - (a) Adds to the October 24, 2006 Draft City Council Agenda
  - (2) Add New Items to the October 17, 2006 Agenda
  - (3) List of Reports Outstanding
- (c) Legislative Update
  - (1) State
  - (2) Federal
- (d) Meeting Schedules
  - (1) Approval to schedule a Study Session on Solar and Energy Issues on January 25, 2007. (Environmental Services)
  - (2) Approval to schedule Getting Families Back to Work Study Sessions on November 16 and 17, 2006. (Mayor)
- (e) The Public Record
- (f) Appointments to Boards, Commissions and Committees
- (g) Rules Committee Reviews, Recommendations and Approvals
  - (1) City Council Spending Policy. (Cortese)
  - (2) Approval of the Revised Building Strong Neighborhoods Committee Work Plan. (Mayor/Chirco)
  - (3) Request the City Manager to assess Code Enforcement-The General Code Compliant Handling Process and the Fee Based Multi Family Dwelling Program. (Planning, Building and Code Enforcement)  
Deferred to 10/17/06
  - (4) Proposed Work Load Assessment for the Administration of HP Grants. (City Manager's Office/City Clerk)  
Deferred to 10/17/06
  - (5) Discussion and possible action regarding the City's Military Reservist Policy. (Campos)  
Dropped.
- (h) Review of Significant Public Records Act Requests
- (i) Review of Council Policy Updates per Sunshine Reforms
  - (1) Approve the proposed methodology and process to review and update the Council Policy manual. (City Manager's Office)
- (j) Open Forum
- (k) Adjournment

Action: Deferred to October 31, 2006.

**3.4 Adoption of a resolution authorizing the Director of Finance to:**

- (a) Negotiate and execute a third amendment to the agreement for an Integrated CIS and Hauler Management System between the City of San José and BearingPoint, Inc. increasing the total maximum compensation (including previously approved contract amendments and contingencies) of \$7,306,574, by \$1,548,000 to implement Phases 1.1, 1.2, and 2.1 of the Integrated Billing Project, formally known as the C-UBS Project and fund \$110,574 in contingencies to be authorized by the Director of Finance for a total maximum compensation not to exceed \$8,965,148 and;**
- (b) Execute change orders with respect to use of the contingency and modification of scope of services due to changes in proposed fit-gap analyses.**

**CEQA: Not a Project. (Finance)**

Documents Filed: Memorandum from Director of Finance Scott Johnson, dated October 4, 2006, recommending adoption of a resolution.

Director of Finance Scott Johnson presented the Staff recommendations. Interim Chief of Information Technology Randall Murphy responded to questions from Council Member Campos.

Council questions and comments followed.

Action: Upon motion by Council Member Williams, seconded by Council Member Yeager and carried unanimously, [Resolution No. 73472](#), entitled: “A Resolution of the Council of the City of San José Authorizing the Director of Finance to Negotiate and Execute a Third Amendment to the Agreement with Bearingpoint, Inc. and Change Orders for the Integrated CIS and Hauler Management System”, was adopted. (11-0.)

**3.5 (a) Acceptance of the staff report on events at City Hall.**

- (b) Adoption of a resolution setting forth a revised fee schedule related to use of City Hall and superseding Resolution No. 72940 and approving revisions to Council Policy 7-2 related to use of City Hall to provide for:**
  - (1) Free events Sunday through Friday for Official City Business in the rotunda, Council Chambers, plaza and bamboo garden, subject to certain limitations.**
  - (2) Weekday, daytime activation of the rotunda and plaza.**
  - (3) Seasonal displays in lobbies.**

**CEQA: Resolution No. 68905. Council District 3. SNI: University. (General Services)**

Action: Deferred to November 14, 2006.

## COMMUNITY & ECONOMIC DEVELOPMENT

- 4.3 (a) Approval of an ordinance amending Section 4.46.039.8 of Chapter 4.46 of Title 4 of the San José Municipal Code (SJMC) to extend the period retroactive from November 1, 2006 to April 30, 2008, during which the City suspends the collection of Building and Structure Construction Taxes imposed for the construction of special industrial use Research and Development and Office tenant improvements.
- (b) Approval of an ordinance amending Section 4.46.039.9 of 4.46 of Chapter 4.46 of Title 4 of the San José Municipal Code (SJMC) to extend the period retroactive from November 1, 2006 to April 30, 2008, during which the City suspends the collection of Building and Structure Construction Taxes imposed for the construction of office use tenant improvements in the Downtown Core.
- (c) Direction to staff to extend the Coordinated Plan Check Review process from November 1, 2006 to April 30, 2008, allowing for plan-check fee collection deferral until permit issuance for tenant improvements in vacant office buildings within the Downtown Core and in vacant industrial and research buildings throughout San José.

**CEQA: Exempt. (Economic Development)**

Documents Filed: Memorandum from Director of Economic Development Paul Krutko, dated October 4, 2006, recommending approval of ordinances.

Director of Economic Development Paul Krutko presented the Staff recommendations and responded to Council questions.

Public Comment: George Fokos spoke in opposition to the Staff recommendations.

Action: Upon motion by Vice Mayor Chavez, seconded by Council Member Yeager and carried unanimously, [Ordinance No. 27894](#), entitled: “An Ordinance of the City of San José Amending Section 4.46.039.8 of Chapter 4.46 of Title 2 of the San José Municipal Code to Extend the Period of Suspension of Collection of the Building and Structure Construction Tax for the Construction of Special Industrial Use Tenant Improvements” and [Ordinance No. 27895](#), entitled: “An Ordinance of the City of San José Amending Section 4.46.039.9 of Chapter 4.46 of Title 4 of the San José Municipal Code to Extend the Period of Suspension of Collection of the Building and Structure Construction Tax for the Construction of Office Use Tenant Improvements in the Downtown Core”, were passed for publication, with Staff directed to: (1) Continue to refine the incentive timelines by market segment based on the City’s overall economic goals in “Getting Families Back To Work”. (2) Provide information on the impact to transportation programs in the next budget cycle. (11-0.)



- 4.4 Public Hearing and adoption of a resolution on the reorganization/ annexation to the City of San José of territory designated as Story No. 59 an approximately 3.7 acre County Pocket containing four (4) parcels on the Southeasterly corner of Story Road and Machado Lane and the implementation of the annexation would result in the detachment of properties within the annexation area from Central Fire Protection, and Area No. 01 (Library Services) County Service (Numerous Owners). CEQA: Resolution No. 65459. Council District 5. (Planning, Building and Code Enforcement)**

Action: Continued to November 14, 2006. To be heard in the evening.

- 4.5 Public Hearing and adoption of a resolution on the reorganization/ annexation to the City of San José of territory designated as Sunol No. 74 an approximately 1.7 acre County Pocket consisting of 13 parcels on the south side of Paula Street, west of Race Street. Implementation of the annexation would result in the detachment of properties within the annexation area from Sunol Sanitary, County Lighting County Service, Central Fire Protection, and Area No. 01 (Library Services) County Service. CEQA: Resolution No. 65459. Council District 6. (Planning, Building and Code Enforcement)**

Action: Continued to November 14, 2006. To be heard in the evening.

- 4.6 Public Hearing and adoption of a resolution on the reorganization/ annexation to the City of San José of territory designated as Sunol No. 75 an approximately 3.6 acre County Pocket consisting of 13 parcels on the north side of Paula Street, east of Northrup Street, and the west side of Lincoln Avenue south of Interstate 280 and north of Paula Street. Implementation of the annexation would result in the detachment of properties within the annexation area from Sunol Sanitary, County Lighting County Service, Central Fire Protection, and Area No. 01 (Library Services) County Service. CEQA: Resolution No. 65459. Council District 6. (Planning, Building and Code Enforcement)**

Action: Continued to November 14, 2006. To be heard in the evening.

- 4.7 Public Hearing and adoption of a resolution on the reorganization/ annexation to the City of San José of territory designated as Sunol No. 76 an approximately 1.8 acre County Pocket consisting of 13 parcels on the north side of Paula Street, west of Northrup Street. Implementation of the annexation would result in the detachment of properties within the annexation area from Sunol Sanitary, County Lighting County Service, Central Fire Protection, and Area No. 01 (Library Services) County Service. CEQA: Resolution No. 65459. Council District 6. (Planning, Building and Code Enforcement)**

Action: Continued to November 14, 2006. To be heard in the evening.

- 4.8 Public Hearing and adoption of a resolution on the reorganization/ annexation to the City of San José of territory designated as Cambrian No. 35 an approximately 2.55 acre County Pocket consisting of 9 parcels on the southwesterly corner of Bascom Avenue and Curtner Avenue. Implementation of the annexation would result in the detachment of properties within the annexation area from West valley Sanitation, County Lighting County Service, Central Fire Protection, and Area No. 01 (Library Services) County Service. CEQA: Resolution No. 65459. Council District 9. (Planning, Building and Code Enforcement)**

Action: Continued to November 14, 2006. To be heard in the evening.

- 4.10 Public hearing and consideration of approval of a City Landmark Designation for the Arguello Gosbey House also known as The Hensley House on a 0.14 gross acre site, located on the northeast corner of Hensley Street and N. Third Street (456 N. 3rd St.) (Angela Chumak, Owner). SNI: 13<sup>th</sup> Street. CEQA: Exempt. HL06-156 - District 3**

Documents Filed: (1) Memorandum from Historic Landmarks Commission Secretary Joe Horwedel, dated October 10, 2006, recommending adoption of a resolution. (2) Proof of Publication of Notice of Public Hearing, executed on September 22, 2006, submitted by the City Clerk. (3) Affidavit of Routing executed on November 6, 2006, and distributed by the City Clerk. (4) Affidavit of Mailing executed on November 8, 2006, and distributed by the City Clerk.

Action: Upon motion by Council Member Yeager, seconded by Council Member Williams and carried unanimously, [Resolution No. 73473](#), entitled: "A Resolution of the Council of the City of San José Designating, Pursuant to the Provisions of Chapter 13.48 of Title 13 of the San José Municipal Code, The Arguello Gosbey House (also known as The Hensley House) Presently Located at 456 North Third Street, as a City Landmark of Special Historical, Architectural, Cultural, Aesthetic or Engineering Interest of Value of a Historic Nature", was adopted, with Mayor Gonzales abstaining due to a conflict of interest, living in close proximity of the designated area. (10-0-1. Disqualified: Gonzales.)

## **NEIGHBORHOOD SERVICES**

- 5.1 Report of the All Children Achieve Committee – October 12, 2006  
Council Member Yeager, Chair**

Documents Filed: The All Children Achieve Committee Report dated October 12, 2006.

- (a) Annual Report on Library Usage

Deferred to November 2006.

**5.1 Report of the All Children Achieve Committee – October 12, 2006 (Cont'd.)  
Council Member Yeager, Chair**

- (b) Update on Early Care and Education Strategic Plan 2006. Attachment: Memorandum from Library Director Jane Light, dated September 28, 2006, recommending acceptance of the report.  
(Deferred from 9/14/06)

The Committee accepted the Staff report.

- (c) San José's High School Initiative Update

Deferred to November 2006.

- (d) Discussion of City Anti-Truancy Efforts. Attachment: Memorandum from Police Chief Robert Davis, dated September 27, 2006, recommending acceptance of the report.

The Committee accepted the Staff report.

- (e) Oral Petitions - None were presented.

- (f) Adjournment - The meeting was adjourned at 2:20 p.m.

Action: Upon motion by Council Member Yeager, seconded by Council Member Pyle and carried unanimously, the All Children Achieve Committee Report and the actions of October 12, 2006, were accepted. (11-0.)

- 5.2 (a) Approval to consider the recommendation in (b-c) below pursuant to the Early Distribution Process Rules (2/3 vote required).**  
**(b) Approval of a \$1 million revolving line of credit for the American Musical Theatre of San José (AMTSJ) under the following conditions:**  
**(1) AMTSJ complies with all of the terms and conditions of the loan agreement contained in Appendix A of the report; and**  
**(2) If approved, adopt a resolution authorizing the City Manager to negotiate and execute a loan agreement with AMTSJ in an amount not to exceed \$1 million.**  
**(c) If action is taken to approve the line-of-credit for AMTSK authorizing for the utilization of the newly-created Arts Stabilization Fund, if approved as part of the City Manager's 2005-2006 Annual Report and the associated appropriation ordinance, Item 3.4 on the October 17, 2006, City Council Agenda.**

**CEQA: Not a Project. (City Manager's Office)**

Action: Deferred to October 31, 2006.

## CLOSED SESSION REPORT

City Attorney Doyle disclosed the following Closed Session action(s) of October 24, 2006:

### A. Pending Litigation – Settlements Authorized:

Case Name: Moreno, et.al. v. City of San José, et.al.

Substance of Litigation: Approval of settlement of lawsuit. The Redevelopment Agency to pay the total sum of \$40,000.00 to Plaintiffs.

Council Vote: Ayes: Campos, Chavez, Nguyen, Pyle, Reed, Williams; Gonzales.

Noes: None.

Disqualified: None.

Absent: Chirco, Cortese, LeZotte, Yeager.

## NOTICE OF CITY ENGINEER'S PENDING DECISION ON FINAL MAPS

In accordance with Sec. 19.16.140d of the San José Municipal Code, this is notice of the City Engineer's pending decision on the following Final Maps:

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Developer</u>	<u>Lots/ Units</u>	<u>Type</u>	<u>Proposed Decision</u>
9813	SS of Curtner Ave., 250' W of Joseph Ave.	9	Long Nguyen	6 Lots/ 5 Units	SFAR	Approve

## OPEN FORUM

- (1) Mark Trout voiced religious points of view.
- (2) Daniel McCall presented personal observations.
- (3) Ross Signorino stated views on the Mayoral race.

## ADJOURNMENT

The Afternoon Council Session was adjourned at 3:02 p.m.

## **RECESS/RECONVENE**

The City Council recessed at 3:02 p.m. from the afternoon Council Session and reconvened at 7:05 p.m. in the Council Chambers, City Hall.

Present: Council Members - Campos, Chavez, Chirco, Cortese, LeZotte, Nguyen, Pyle, Reed, Williams, Yeager; Gonzales.

Absent: Council Members - None.

## **PUBLIC HEARINGS**

City Clerk Lee Price read the requests for continuance of the applications. Upon motion by Vice Mayor Chavez, seconded by Council Member Williams, and carried unanimously, the below noted continuances and actions were taken as indicated. (11-0.)

## **CEREMONIAL ITEMS**

- 1.4 Presentation of a commendation recognizing Ms. Lieu Dang, Cofounders of the Friends of Hue Foundation for her dedication to fulfill the needs of the Vietnamese American Community. (Reed)**  
**(Rules Committee referral 10/18/06)**

Action: Mayor Gonzales and Council Member Reed recognized Ms. Lieu Dang for her efforts and dedication to the Vietnamese American Community.

- 1.6 Presentation of a proclamation recognizing November 2, 2006 as “Native Heritage Celebration Day” in the City of San José. (Campos)**  
**(Rules Committee referral 10/18/06)**

Action: Mayor Gonzales and Council Member Campos declared November 2, 2006 as “Native Heritage Celebration Day” in the City of San José.

- 1.7 Oaths of Office for incoming Youth Commissioners, Matthew Kirmse, District 1; James Hill, District 2; Kimberly Loo, District 4; Sandy Ngo, District 5; Terry Reilly, District 6 and Sasha Bernal, District 7. (City Clerk)**  
**(Rules Committee referral 10/18/06)**

Documents Filed: Memorandum from City Clerk Lee Price, dated October 11, 2006, listing appointments to the Youth Commission.

**1.7 (Cont'd.)**

Action: City Clerk Lee Price administered Oaths of Office to new Youth Commissioners: Matthew Kirmse, District 1; James Hill, District 2; Kimberly Loo, District 4; Sandy Ngo, District 5; Terry Reilly, District 6 and Sasha Bernal, District 7.

**1.5 Presentation of a commendation to Pejmon Estakhri, who single handedly raised \$20,000 for the victims of the March earthquake that ravaged Iran. (Chavez)  
(Rules Committee referral 10/18/06)**

Action: Mayor Gonzales and Vice Mayor Chavez recognized and commended Pejmon Estakhri, who single handedly raised \$20,000 for the victims of the March earthquake that ravaged Iran.

**COMMUNITY & ECONOMIC DEVELOPMENT**

**4.9 Public Hearing and adoption of a resolution on the reorganization/annexation to the City of San José of the territory designated as Sunol No. 72 an approximately 0.88 gross acres of land located at the south side of Paula Street, approximately 160 feet easterly of Meridian Way, and the detachment of the same from the appropriate special districts including Sunol Sanitary, County Lighting County Service, Central Fire Protection and Area No. 01 (Library Services) County Service. CEQA: Mitigated Negative Declaration. Council District 6. (Planning, Building and Code Enforcement)**

Documents Filed: (1) Memorandum from Acting Director of Planning, Building and Code Enforcement Joe Horwedel, dated October 4, 2006, recommending adoption of a resolution. (2) Proof of Publication of Notice of Public Hearing, executed on September 22, 2006, submitted by the City Clerk.

Action: Upon motion by Council Member Yeager, seconded by Council Member Reed and carried unanimously, [Resolution No. 73474](#), entitled: "A Resolution of the Council of the City of San José Ordering the Reorganization of Certain Uninhabited Territory Designated as Sunol No. 72, Subject to Liability for General Indebtedness of the City After Finding Protests Insufficient to Terminate Such Proceedings", was adopted. (11-0.)

## NEIGHBORHOOD SERVICES

- 5.3 (a) Approval of adjustments of the in-lieu fees for the Parkland Dedication and Park Impact Ordinances to 100% of the 2005 land values as listed in Attachment A of the report.
- (b) For each item listed under the “Base Recommendations” in Attachment B of the report, accept staff’s recommendation for amendments to the Parkland Dedication and Park Impact Ordinances and associated Fees and Credits Resolution.
- (c) Direction to staff to return to the City Council with a revised ordinance and associated fee resolution which reflects the Council’s above recommendations.

**CEQA: Resolution No. 65459. (Planning, Building and Code Enforcement/Parks, Recreation and Neighborhood Services)**

Documents Filed: (1) Memorandum from Vice Mayor Chavez and Council Members Yeager and Pyle, dated October 24, 2006, recommending approval of the Staff recommendation with additional direction. (2) Memorandum from Acting Director of Parks, Recreation and Neighborhood Services Albert Balagso and Acting Director of Planning, Building and Code Enforcement Joe Horwedel, dated October 10, 2006, recommending as listed above. (3) Staff presentation dated October 24, 2006. (4) Four letters from members of the public dated October 24, 2006.

Acting Director of Parks, Recreation and Neighborhood Services Albert Balagso outlined the proposed changes to the Parkland Dedication and Park Impact Ordinances and In-Lieu Fee Adjustments. Acting Director of Planning, Building and Code Enforcement Joe Horwedel presented the Parkland Dedication Ordinance/Park Impact Ordinance details.

Council discussion followed.

Public Comment: Speaking on the issue were: Rene Martinez (Citizens for a Livable San José), George Fokos, Phyllis Ward (Affordable Housing Network), G.M. Harding, Aurelia Sanchez, Terry Thompson, Mike Betram, Felicia Borrego Madsen, Susan Bradley, Helen Chapman (Parks Commission), Kerri Hamilton, Ed Rast, Larry Ames, Kathy Sutherland, Pete Furman, Kathryn Mathewson (CalSJ), Lisa Jensen, Erik Kaedina, Don Gaglia, Henry Cord (San José Downtown Association), Joe Bentley, Harvey Darnell, Jim Zito, James Sullivan (Braddock & Logan), Beverly Bryant (Home Builders Association of No. Calif.), Mike Root and Bob Hines (San José Silicon Valley Chamber of Commerce).

### 5.3 (Cont'd.)

Action: Upon motion by Vice Mayor Chavez, seconded by Council Member Yeager and carried unanimously, the staff recommendation was approved, with Staff directed to: (1) Modify limitation of land dedications to at least .5 acres and allow smaller dedications if they would be a part of an existing or planned facility. (2) Support Staff recommendation regarding stormwater detention as a pilot with a report back to Council in one year. (3) When ordinance comes back, ensure that there are clear guidelines for using County and School property. (4) Use clear guidelines for the use of stormwater detention areas and benchmarks for maintenance. (5) Consider vouchers during the next Budget cycle and explore funding options for parks in low income communities. (6) City Manager to provide a progress report on grants management with an emphasis on opportunities for grant development as it relates to parks. (7) Staff to work with the City Manager regarding the Annual Update on Expenditures; with the report to Council by April 2007, prior to the Budget meetings in May 2007. (11-0.)



## **GENERAL PLAN PUBLIC HEARINGS ON CONSENT CALENDAR**

Upon motion by Council Member Williams, seconded by Vice Mayor Chavez, and carried unanimously, the General Plan Public Hearings on Consent Calendar was approved and the below listed actions were taken as indicated. (11-0.)

- 10.1 (a) The items being considered are for property located on the southwesterly quadrant of Alum Rock Avenue (1898 Alum Rock Avenue and at the northerly portion of 1884 Alum Rock Avenue) and McCreery Avenue (57 McCreery Avenue) on approximately 0.59-acre (J.A. and Mabiela R. Calderon, Owner/Applicant).**

- (1) Consideration of tentative approval for General Plan amendment request to change the Land Use/Transportation Diagram designation from General Commercial on approximately 0.46 acres to Neighborhood/Community Commercial and maintain the existing Neighborhood Business District Overlay and from Medium Density Residential (8-16 DU/AC) on approximately 0.2 acres to Neighborhood/Community Commercial with the addition of a Neighborhood Business District Overlay. SNI: Mayfair. CEQA: Mitigated Negative Declaration. Director of Planning, Building, and Code Enforcement and Planning Commission recommended approval (7-0-0).**

**GP05-05-02 - District 5**

Action: The Staff/Planning recommendation was tentatively approved.

- (2) Consideration of an ordinance rezoning the real property from CG Commercial General and R-1-8 Single Family Residence Zoning Districts to A(PD) Planned Development Zoning District to allow 6,210 square feet for commercial uses on a 0.59 gross acre site. SNI: Mayfair. CEQA: Mitigated Negative Declaration. Director of Planning, Building, and Code Enforcement and Planning Commission recommended approval (7-0-0).**

**PDC05-112 - District 5**

**Item 11.1(e) was heard under 10.1(a).**

Documents Filed: (1) Report of the Staff of the Department of Planning, Building and Code Enforcement on Project File No. GP05-0502 and PDC05-112, dated October 4, 2006, recommending approval on the subject property. (2) Memorandum from Planning Commission Secretary Joe Horwedel, dated October 12, 2006, transmitting the Planning Commission recommendation of the subject property. (3) Proofs of Publications of Notices of Public Hearings, executed on September 29, 2006 and October 8, 2006, submitted by the City Clerk

**10.1 (a) (2) (Cont'd.)**

Action: Upon motion by Council Member Campos, seconded by Council Member Williams and carried unanimously, the Staff/Planning recommendation was tentatively approved, and [Ordinance No. 27896](#), entitled: "An Ordinance of the City of San José Rezoning Certain Real Property Situated at the Southwest Corner of Alum Rock Avenue and McCrerry Avenue to A(PD) Planned Development Zoning District", was passed for publication. (11-0.)

**END OF CONSENT CALENDAR**

**10.2 Adoption of a resolution approving all General Plan amendment actions taken on October 24, 2006 and adoption of any related CEQA resolutions. (Planning, Building and Code Enforcement)**

Documents Filed: Proof of Publication of Notice of Public Hearing, executed on September 29, 2006, submitted by the City Clerk.

Action: Upon motion by Vice Mayor Chavez, seconded by Council Member Williams and carried unanimously, [Resolution No. 73475](#), entitled: “A Resolution of the Council of the City of San José Specifying the Council’s Determinations on Proposed Amendments to the San José 2020 General Plan Pursuant to Title 18 of the San José Municipal Code”, was adopted. (11-0.)

## **PUBLIC HEARINGS ON CONSENT CALENDAR**

Upon motion by Council Member Williams, seconded by Vice Mayor Chavez, and carried unanimously, the Public Hearings on Consent Calendar was approved and the below listed actions were taken as indicated. (11-0.)

- 11.1 (a) Consideration of an ordinance rezoning the real property located on the east side of North 2<sup>nd</sup> Street, approximately 140 feet northerly of St. James Street from CG Commercial General Zoning District to DC Downtown Commercial Zoning District to allow commercial uses within a designated City Landmark building on a 0.43 gross acre site (240 N. 2<sup>nd</sup> St.) (Bel Aire Inv. Inc., Owner). Director of Planning, Building and Code Enforcement and Planning Commission recommended approval (6-0-1). CEQA: Resolution No. 65459.**

**C06-031 - District 3**

**[Continued from 10/3/06 – Item 11.1(c)]**

Action: Continued to November 14, 2006 evening session at the Applicant's request, per Orders of the Day.

- (b) Consideration of an ordinance rezoning the real property located at the southeast corner of Almaden Expressway and Almaden Road from A Agriculture Zoning District to A(PD) Planned Development Zoning District to allow up to 13 single family detached residences on a 1.24 gross acre site (18950 Almaden Road) (John D. and Jennifer R. Carson, Owner). CEQA: Mitigated Negative Declaration.**

**PDC05-109 - District 10**

**[Continued from 10/3/06 – Item 11.1(f)]**

Documents Filed: Proofs of Publications of Notices of Public Hearings, executed on September 15, 2006 and September 24, 2006, submitted by the City Clerk.

Action: Dropped.

- (c) Consideration of an ordinance rezoning the real property located on the south side of Story Road approximately 150 feet east of Adrian Way from CO Commercial Office Zoning District to CP Commercial Pedestrian Zoning District to allow commercial uses on a 0.24 gross acre site (2250 Story Rd) (José and Ana Canales, Owner). Director of Planning, Building and Code Enforcement recommended approval. No Planning Commission action required. SNI: East Valley/680 Communities. CEQA: Resolution No. 65459.**

**C06-096 - District 5**

Action: Continued to November 14, 2006.

- 11.1 (d) **Consideration of an ordinance rezoning the real property located on the south side of University Avenue approximately 100 feet northerly of Myrtle Street from R-2 Two Family Residence District to A(PD) Planned Development Zoning District to allow a two single family detached residences on 0.33 gross acres (970 University Ave.) (Sharon Dains, Owner). Director of Planning, Building, and Code Enforcement and Planning Commission recommended approval (6-0-1). CEQA: Exempt. PDC02-002 - District 6**

Documents Filed: (1) Report of the Staff of the Department of Planning, Building and Code Enforcement on Project File No. PDC02-002, dated September 27, 2006, recommending approval on the subject property. (2) Memorandum from Planning Commission Secretary Joe Horwedel, dated October 12, 2006, transmitting the Planning Commission recommendation of the subject property. (3) Proofs of Publications of Notices of Public Hearings, executed on September 29, 2006, and October 8, 2006, submitted by the City Clerk.

Action: The recommendation of the Planning Commission and the Planning Director was approved, and Ordinance No. 27897, entitled: “An Ordinance of the City of San José Rezoning Certain Real Property Situated on the South Side of University Avenue Approximately 100 Feet Northerly of Myrtle Street to A(PD) Planned Development Zoning District”, was passed for publication. (11-0.)

- (e) **The items being considered are for property located on the southwesterly quadrant of Alum Rock Avenue (1898 Alum Rock Avenue and at the northerly portion of 1884 Alum Rock Avenue) and McCreery Avenue (57 McCreery Avenue) on approximately 0.59-acre (J.A. and Mabiela R. Calderon, Owner/Applicant).**
- (1) **Consideration of tentative approval for General Plan amendment request to change the Land Use/Transportation Diagram designation from General Commercial on approximately 0.46 acres to Neighborhood/Community Commercial and maintain the existing Neighborhood Business District Overlay and from Medium Density Residential (8-16 DU/AC) on approximately 0.2 acres to Neighborhood/Community Commercial with the addition of a Neighborhood Business District Overlay. SNI: Mayfair. CEQA: Mitigated Negative Declaration. Director of Planning, Building, and Code Enforcement and Planning Commission recommended approval (7-0-0). GP05-05-02 - District 5**

- 11.1 (e) (2) **Consideration of an ordinance rezoning the real property from CG Commercial General and R-1-8 Single Family Residence Zoning Districts to A(PD) Planned Development Zoning District to allow 6,210 square feet for commercial uses on a 0.59 gross acre site. SNI: Mayfair. CEQA: Mitigated Negative Declaration. Director of Planning, Building, and Code Enforcement and Planning Commission recommended approval (7-0-0).  
PDC05-112 - District 5**

Action: Heard with General Plan Item 10.1(a). See Item 10.1(a) for Council Action.

- (f) **Consideration of a director initiated prezoning ordinance prezoning an approximately 14.84 gross acre area consisting of portions of 7 parcels on the south side of Manila and Curie Drives, west of San Ignacio Avenue from County of Santa Clara to OS Open Space (Santa Clara County, Owner). Director of Planning, Building and Code Enforcement recommended approval. No Planning Commission action required. CEQA: Resolution No. 65459.  
C06-072 - District 2**

Documents Filed: Report of the Staff of the Department of Planning, Building and Code Enforcement on Project File No. C06-072, dated October 5, 2006, recommending approval on the subject property.

Action: Upon motion by Council Member Williams, seconded by Vice Mayor Vice Mayor Chavez and carried unanimously, the recommendation of the Planning Director was approved, and Ordinance No. 27898, entitled: "An Ordinance of the City of San José Rezoning Certain Real Property Situated on the South Side of University Avenue Approximately 100 Feet Northerly of Myrtle Street to A(PD) Planned Development Zoning District", was passed for publication. (10-0-1. Absent: Cortese.)

- (g) **Consideration of a director initiated prezoning ordinance prezoning an approximately 15.3 gross acre area consisting of 2 parcels on the southeast corner of Capitol Avenue and Hostetter Road from County of Santa Clara to RM Multiple Residence Zoning District for multi family residential purposes (Clara Bianchi, Trustee; Santa Clara Valley Transit Authority, Owners). Director of Planning, Building and Code Enforcement recommended approval. No Planning Commission action required. CEQA: Resolution No. 65459.  
C06-074 - District 4**

Action: Continued to November 14, 2006.

- 11.1 (h) **Consideration of a director initiated prezoning ordinance prezoning an approximate 3.7 gross acre site consisting of 5 parcels located on the north side of Story Road, 780 feet westerly of Machado Lane from County of Santa Clara to R-1-RR Single Family Residence District for single family residential purposes (Jesus & Maria Reyes, Dagmar McNelly, Lenora Jones, Ramon & Elizabeth Martinez, Owners). Director of Planning, Building and Code Enforcement recommended approval. No Planning Commission action required. CEQA: Resolution No. 65459.**  
**C06-075 - District 5**

Documents Filed: Report of the Staff of the Department of Planning, Building and Code Enforcement on Project File No. C06-075, dated October 5, 2006, recommending approval on the subject property.

Action: Dropped, per Orders of the Day.

- (i) **Consideration of a director initiated prezoning ordinance prezoning an approximately 4.23 gross acre area consisting of 3 parcels located on the southeast side of Story Lane, 870 feet northeasterly of Clayton Road from County of Santa Clara to R-1-2 Single Family Residence District for single family residential purposes (Ben & Alice Nagashima, Trustee; Janet Nagashima, Mai Phuong Nguyen, Owners). Director of Planning, Building and Code Enforcement recommended approval. No Planning Commission action required. CEQA: Resolution No. 65459.**  
**C06-076 - District 5**

Documents Filed: Report of the Staff of the Department of Planning, Building and Code Enforcement on Project File No. C06-076, dated October 5, 2006, recommending approval on the subject property.

Action: Dropped; To be renoticed.

- (j) **The projects being considered are on an approximately 33.6 gross acre area consisting of 3 parcels on the northerly side of Seely Avenue, west of Montague Expressway. (Sakauye, Suzaye, Sakauye Partners, City of San José, Owners). Director of Planning, Building and Code Enforcement recommended approval. No Planning Commission action required. CEQA: Resolution No. 65459.**  
**C06-083 - District 4**

- (1) **Consideration of a Director initiated prezoning ordinance prezoning two parcels on approximately 22.6 acres on the northerly side of Seely Avenue, west of Montague Expressway from County of Santa Clara to IP Industrial Park for industrial park purposes.**

**11.1 (j) (Cont'd.)**

- (2) Consideration of a Director initiated rezoning ordinance rezoning one parcel on approximately 11 acres west of Montague Expressway approximately 600 feet north of Seely Avenue from County of Santa Clara to OS Open Space for open space purposes.**

Documents Filed: Report of the Staff of the Department of Planning, Building and Code Enforcement on Project File No. C06-083, dated October 5, 2006, recommending approval on the subject property.

Action: The recommendation of the Planning Director was approved, [Ordinance No. 27899](#), entitled: "An Ordinance of the City of San José Rezoning Certain Real Property Situated at the North Corner of Montague Expressway and Seely Avenue to IP Industrial Park" and [Ordinance No. 27900](#), entitled: "An Ordinance of the City of San José Rezoning Certain Real Property Situated West of Montague Expressway Approximately 600 Feet North of Seely Avenue to OS Open Space Zoning District", were passed for publication. (11-0.)

**END OF PUBLIC HEARINGS ON CONSENT CALENDAR**



## **PUBLIC HEARINGS**

- 11.2 Consideration of an ordinance of the City of San José amending Chapter 21.04 of Title 21 of the San José Municipal Code to add a new section and amending Section 21.06.030 of Chapter 21.06 of Title 21, all related to providing for an additional appeal to the City Council of certain environmental clearance determinations. CEQA: Not a Project. (Planning, Building and Code Enforcement)  
[Continued from 8/29/06 – Item 11.1(k) and 10/3/06 – Item 11.3]**

Action: Continued to December 5, 2006.

- 11.3 Consideration of an ordinance rezoning the real property located on the southwest corner of Stevens Creek Boulevard and Palace Drive from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District to allow an approximately 170,000 square foot, five story structure for a parking garage and automobile service center uses at an existing automobile dealership on a 5.77 gross acre site (4500 Stevens Creek Blvd.). Director of Planning, Building, and Code Enforcement and Planning Commission recommended approval (7-0-0). CEQA: Mitigated Negative Declaration.  
PDC04-043 - District 1**

Documents Filed: (1) Report of the Staff of the Department of Planning, Building and Code Enforcement on Project File No. PDC04-043, dated October 3, 2006, recommending approval on the subject property. (2) Memorandum from Planning Commission Secretary Joe Horwedel, dated October 12, 2006, transmitting the Planning Commission recommendation of the subject property. (3) Proofs of Publications of Notices of Public Hearings, executed on September 15, 2006 and September 24, 2006, submitted by the City Clerk.

Public Comment: Mayor Gonzales opened the public hearing. There was no testimony from the floor. Mayor Gonzales closed the public hearing.

Action: Upon motion by Council Member LeZotte, seconded by Vice Mayor Chavez and carried unanimously, the recommendation of the Planning Commission and the Planning Director was approved, and [Ordinance No. 27901](#), entitled: “An Ordinance of the City of San José Rezoning Certain Real Property Situated at the Southwest Corner of Stevens Creek Boulevard and Palace Drive (4500 Stevens Creek Boulevard) to A(PD) Planned Development Zoning District”, was passed for publication, with condition added that car dealerships observe no parking or off-loading on public streets. (11-0.)

- 11.4 Consideration of an ordinance rezoning the real property located on the east side of Bird Avenue, approximately 200 feet north of Willow Street from R-1-8 Single Family Residence Zoning District to A(PD) Planned Development Zoning District to allow up to three single family residences, two constructed without benefit of permits, on a 0.30 gross acre site (1070 Bird Avenue) (Norman P. Dreyer, Trustee, Owner). Director of Planning, Building and Code Enforcement and Planning Commission recommended conditional approval to allow up to two single-family residences (4-1-2). CEQA: Exempt.  
PDC06-028 - District 6**

Documents Filed: (1) Report of the Staff of the Department of Planning, Building and Code Enforcement on Project File No. PDC06-028, dated September 7, 2006, recommending approval on the subject property with conditions. (2) Memorandum from Planning Commission Secretary Joe Horwedel, dated October 3, 2006, transmitting the Planning Commission recommendation of the subject property. (3) Supplemental memorandum from Acting Director of Planning, Building and Code Enforcement Joe Horwedel, dated October 4, 2006, transmitting a revised proposed site plan. (4) Proofs of Publications of Notices of Public Hearings, executed on September 1, 2006 and September 10, 2006, submitted by the City Clerk.

Public Comment: Mayor Gonzales opened the public hearing. Marvin Bamburg, representing the applicant, spoke to the merits of the rezoning and asked that three homes be approved. Harvey Darnell urged the Council to only approve two units. Mayor Gonzales closed the public hearing.

Action: Upon motion by Council Member Yeager, seconded by Council Member Reed and carried unanimously, the recommendation of the Planning Commission and the Planning Director was approved and [Ordinance No. 27902](#), entitled: "An Ordinance of the City of San José Rezoning Certain Real Property Situated on the East Side of Bird Avenue, Approximately 200 Feet North of Willow Street (1070 Bird Avenue) to A(PD) Planned Development Zoning District to Allow up to Two Residential Units on an Approximately 0.30 Gross Acre Site", was passed for publication. (11-0.)

- 11.5 Public Administrative Hearing on an appeal of the Planning Commission's decision to deny a Conditional Use Permit and deny the granting of a determination for Public Convenience or Necessity for the off-sale of alcoholic beverages at an existing retail store on a 0.43 gross acre site, in the CP Pedestrian Commercial Zoning District located at the southwest corner of Winchester Boulevard and Impala Drive (Los Primos Meat Market at 1539 S. Winchester Blvd.) (Ronnie Berry, Owner). SNI: Winchester. CEQA: Exempt. Director of Planning, Building and Code Enforcement recommends to uphold the Planning Commission's decision to deny.  
CP06-009 & ABC06-006 - District 1  
(Rules Committee referral 10/18/06)**

## 11.5 (Cont'd.)

Documents Filed: (1) Report of the Staff of the Department of Planning, Building and Code Enforcement on Project File No. CP06-009 & ABC06-006, dated April 24, 2006, recommending denial on the subject property. (2) Memorandum from Planning Commission Secretary Joe Horwedel, dated October 17, 2006, transmitting the Planning Commission recommendation of the subject property. (3) Proofs of Publication of Notice of Public Hearing, executed on October 20, 2006, submitted by the City Clerk.

Public Comment: Mayor Gonzales opened the public hearing. Charles Lauer, Chair of the Winchester Neighborhood Association, spoke in favor of the Staff recommendation deny the appeal. Greg Kays, representing Appellant, Sergio Guzman, spoke in favor of the application and argued that there exists a public convenience to allowing sales of beer and wine. Mayor Gonzales closed the public hearing.

Action: Upon motion by Council Member LeZotte, seconded by Council Member Yeager and carried unanimously, the recommendation of the Planning Commission was approved and the decision to deny the application was upheld. (11-0.)

## OPEN FORUM

- (1) Judy Richardson encouraged reforms to increase voter participation.

## ADJOURNMENT

The Council of the City of San José was adjourned at 10:24 p.m. in memory of Leonard McKay, a champion of San José's history dedicated to preserving and sharing our City's rich heritage.

Minutes Recorded, Prepared and Respectfully Submitted by,

Lee Price, MMC  
City Clerk

smd/10-24-06MIN

Access the video, the agenda and related reports for this meeting by visiting the City's website at <http://www.sanjoseca.gov/clerk/agenda.asp> or <http://www.sanjoseca.gov/clerk/MeetingArchive.asp>